

"Express Mail" mailing label number **EV 327134534**

Date of Deposit **MARCH 11, 2004**

PATENT
Docket No. 8642/117

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:)	Nabel <i>et al.</i>
)	
Serial No.:)	Not yet assigned
)	
Filed:)	March 11, 2004 (herewith)
)	
Group Art Unit:)	Not yet assigned
)	
Examiner:)	Not yet assigned
)	
Title:)	hKIS Compositions and Methods of Use

Mail Stop Patent Application
U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56, it is respectfully requested that this Information Disclosure Statement be entered and the documents listed on the attached Form PTO-1449 be considered by the Examiner and made of record.

In accordance with 37 C.F.R. § 1.97(g),(h), this Information Disclosure Statement is not to be construed as a representation that a search has been made and is not to be construed to be an admission that the information cited is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

This Information Disclosure Statement is being filed before the mailing of the first Office Action on the merits and hence is believed to be timely filed in accordance with 37 C.F.R. § 1.97(b). No fees are believed to be due in connection with filing of this Information Disclosure Statement. Should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason relating to these materials, the Commissioner is hereby authorized to deduct said fees from Brinks Hofer Gilson & Lione Deposit Account No. 23-1925. A duplicate copy of this document is enclosed. This application is a division of U.S. Patent Application Serial Number 09/378,517, which claims benefit of provisional application U.S. Application Serial No. 60/097,710, filed August 21, 1998. These prior applications are relied upon for an earlier filing dated under 35 U.S.C. §§ 119 and 120. In accordance with Rule 37 C.F.R. § 1.98(d) copies of documents that were cited during the prosecution of U.S. Patent Application Serial Number 09/378,517 are not enclosed. The following documents are submitted:

US 5,985,635	Nov 1999	Bandman et al.		
--------------	----------	----------------	--	--

WO 95/10623	4/20/1995	PCT			
-------------	-----------	-----	--	--	--

Mahairas, G.G., EST database: Accession # AQ024916, submitted June 1998
Orkin et al., Report and Recommendations of the Panel to Assess the NIH Investment in Research on Gene Therapy, www.nih.gov Dec 1995
Verma, M. et al., Gene Therapy: Promises, Problems and Prospects, Nature, vol. 389, Sept. 1997, pp 239-242
Eck, S. L. et al., 1996, Ch 5. Gene Based Therapy, Goodman & Gillman's The Pharmacological Basis of Therapeutics. pp 77-101
Mahairas, G.G. et al., HS_2183_A2-B07_MF CIT Approved Human Genomic Sperm Library D Homo Sapiens Genomic Clone, database sheet, XP-002125938, June 23, 1998
Hiller, K. et al., Soars Total Fetus Nb2HF8 9w Homo Sapiens cDNA Clone, database sheet, XP-002125939, June 11, 1997
Hiller, K. et al., Soars Total Fetus Nb2HF8 9w Homo Sapiens cDNA Clone, database sheet, XP-002125940, June 11, 1997

Maucuer, A. et al., KIS is a Protein Kinase with an RNA Recognition Motif, The Journal of Biol. Chem., vol. 272, no. 37, Sept. 12, 1997, pp 23151-23156
Muller, D. et al., Cdk2-dependent phosphorylation of p27 facilitates its Myc-induced release from cyclin E/cdk2 complexes, Oncogene, 15, pp 2561-2576, 1997
Sheaff, R. et al., Cyclin E-CDK2 is a regulator of p27 ^{Kip1} , Genes and Development, 11, pp 1464-1478, 1997
Polyak, K. et al., Cloning of p27 ^{Kip1} , a Cyclin-Dependent Kinase Inhibitor and a Potentail Mediator of Extracellular Antimitogenic Signals, Cell. Vol. 87, pp 59-66, July 15, 1994
PCT International Search Report for PCT/US99/18903
Boehm, M. et al., A Growth Factor-Dependent Nuclear Kinase Phosphorylates p27 ^{Kip1} and Regulates Cell Cycle Progression, The EMBO Journal, vol. 21, no. 13, pp. 3390-3401, 2002

If, for any reason, the Examiner feels that an interview would be helpful to resolve any issues, he is respectfully requested to contact the undersigned attorney at (312) 321-4229.

Respectfully submitted,

Date: *March 11, 2004*

John Murray
 John Murray, Ph.D.
 Registration No. 44,251
 Attorney for Applicant

BRINKS HOFER GILSON & LIONE
 P.O. Box 10395
 Chicago, IL 60610
 (312) 321-4200

FORM PTO-1449	SERIAL NO. Not assigned	CASE NO. 8642/117
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT	FILING DATE (herewith)	GROUP ART UNIT
(use several sheets if necessary)	APPLICANT(S): Nabel et al.	

REFERENCE DESIGNATION
U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS/ SUBCLASS	FILING DATE
	A1	US 5,985,635	Nov 1999	Bandman et al.	435/194	

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS/ SUBCLASS	TRANSLATION YES	NO
	A2	WO 95/10623	4/20/1995	PCT			

EXAMINER INITIAL	OTHER ART (Including Author, Title, Date, Pertinent Pages, etc.)	
	A3	Mahairas, G.G., EST database: Accession # AQ024916, submitted June 1998
	A4	Orkin et al., Report and Recommendations of the Panel to Assess the NIH Investment in Research on Gene Therapy, www.nih.gov Dec 1995
	A5	Verma, M. et al., Gene Therapy: Promises, Problems and Prospects, Nature, vol. 389, Sept. 1997, pp 239-242
	A6	Eck, S. L. et al., 1996, Ch 5. Gene Based Therapy, Goodman & Gillman's The Pharmacological Basis of Therapeutics. pp 77-101
	A7	Mahairas, G.G. et al., HS_2183_A2-B07_MF CIT Approved Human Genomic Sperm Library D Homo Sapiens Genomic Clone, database sheet, XP-002125938, June 23, 1998
	A8	Hiller, K. et al., Soars Total Fetus Nb2HF8 9w Homo Sapiens cDNA Clone, database sheet, XP-002125939, June 11, 1997
	A9	Hiller, K. et al., Soars Total Fetus Nb2HF8 9w Homo Sapiens cDNA Clone, database sheet, XP-002125940, June 11, 1997
	A10	Maucuer, A. et al., KIS is a Protein Kinase with an RNA Recognition Motif, The Journal of Biol. Chem., vol. 272, no. 37, Sept. 12, 1997, pp 23151-23156
	A11	Muller, D. et al., Cdk2-dependent phosphorylation of p27 facilitates its Myc-induced release from cyclin E/cdk2 complexes, Oncogene, 15, pp 2561-2576, 1997
	A12	Sheaff, R. et al., Cyclin E-CDK2 is a regulator of p27 ^{Kip1} , Genes and Development, 11, pp 1464-1478, 1997
	A13	Polyak, K. et al., Cloning of p27 ^{Kip1} , a Cyclin-Dependent Kinase Inhibitor and a Potentail Mediator of Extracellular Antimitogenic Signals, Cell. Vol. 87, pp 59-66, July 15, 1994
	A14	PCT International Search Report for PCT/US99/18903
	A15	Boehm, M. et al., A Growth Factor-Dependent Nuclear Kinase Phosphorylates p27 ^{Kip1} and Regulates Cell Cycle Progression, The EMBO Journal, vol. 21, no. 13, pp. 3390-3401, 2002

EXAMINER	DATE CONSIDERED
----------	-----------------

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.